




**SIGNED THIS 22nd day of November, 2021**

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.  
PLEASE SEE DOCKET FOR ENTRY DATE.**

  
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Rebecca B. Connelly  
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**

**IN RE: Alfonso Izildo Quizado**

**PRE-TRIAL CONTINUANCE ORDER**

ALFONSO IZILDO QUIZADO

Case number 18-50540

*Plaintiff*

v.

JOHN S. LYON, D.D.S., INC. and

DR. JOHN S. LYON

*Defendant(s)*

**ORDER PARTIALLY RULING ON DISPOSITIVE MOTIONS AND CONTINUING  
MATTER FOR FURTHER HEARING**

On November 17, 2021, this Court held a pre-trial hearing on the plaintiff's complaint to hold defendants in contempt for violation of this Court's discharge order. Counsel for the plaintiff and counsel for both defendants filed dispositive motions, responses, and replies and appeared at the hearing. The Court heard the dispositive motions at the pre-trial hearing.

Essentially, the plaintiff sought judgment as a matter of law that each of the defendants (the corporation and the individual) were in contempt of this Court's discharge order. The plaintiff also asked the Court to consider at a later hearing how much to award in compensatory damages and punitive damages against both defendants. The defendants sought judgment as a matter of law that (1) the individual defendant did not violate the discharge order; (2) if the corporate defendant violated the discharge order, it was a technical violation which did not cause

compensable damage to the plaintiff; and (3) punitive damages are not warranted under these circumstances. At the hearing the parties conceded that there was a violation of the discharge order by the corporate defendant John S. Lyon, D.D.S., Inc., obviating the need for the Court to decide the motion for summary judgment as to this defendant.

After hearing the arguments of the parties, and considering the uncontested facts, the Court granted in part, denied in part, and continued for further hearing the defendant's motion for summary judgment. The Court continued for further hearing the plaintiff's motion for judgment as a matter of law.

Accordingly, it is

**O R D E R E D**

that the hearing on plaintiff's motion for summary judgment, ECF Doc. No. 39, and defendants' motion for summary judgment, ECF Doc. No. 37, on the issue of liability on the part of Dr. John S. Lyon in his individual capacity is **CONTINUED to January 6, 2022, at 2:00 PM.** The continued hearing shall be held by video using Zoom software. Parties shall not appear in person. **The parties may access the hearing using the following URL: <https://vawb-uscourts-gov.zoomgov.com/j/1603692643>. Alternatively, parties may log in to their Zoom account and join the meeting using Meeting ID: 160 369 2643.**

It is further

**O R D E R E D**

that defendants' motion for summary judgment, ECF Doc. No. 37, on the issue of compensatory damages is **DENIED.**

It is further

**O R D E R E D**

that defendants' motion for summary judgment, ECF Doc. No. 37, on the issue of punitive damages is **GRANTED**.

The Clerk is directed to send a copy of this Order to counsel for the parties.

**End of Order**